

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, November 2, 2021**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Kai Hagen, Jessica Fitzwater, Phil Dacey and Steve McKay were present for the meeting.

Also present were Ragen Cherney, County Council Chief of Staff; Catherine Keller, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m. virtually.

Opening Statement from Council President M.C. Keegan-Ayer

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the Legislative meeting for Tuesday, November 2, 2021 and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- None

Business Items:

Budget Adjustments

- J-22-081 – Operations/Area Agency on Aging, Senior Services Division
- J-22-083 – Operations/Area Agency on Aging, Senior Services Division
- J-22-084 – Parks & Recreation Division

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- J-22-086 – Accounting & Finance Support, Water & Sewer Utilities Division
- J-22-090 – Emergency Communications, Emergency Management Division
- J-22-091 – Emergency Communications, Emergency Management Division
- J-22-093 – Administration, Finance Division
- J-22-094 – Administration, Finance Division
- J-22-096 – Scott Key Center, Citizens Services Division
- J-22-101 – Administration, Health Services Division

Council Member Jessica Fitzwater moved to approve Budget Adjustment J-22-081, J-22-083, J-22-084, J-22-086, J-22-090, J-22-091, J-22-093, J-22-094, J-22-096, and J-22-101 as presented. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Approval of Minutes from October 19, and October 26, 2021.

Council Member Jessica Fitzwater moved to approve the minutes from October 19, and October 26, 2021, as presented. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Confirmation of County Executive's Appointments to the Frederick County Immigrant Affairs Commission

Joyce Grossnickle, Administrative Officer, briefed the Council on the Confirmation of County Executive's Appointments to the Frederick County Immigrant Affairs

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Commission.

Council Member Jessica Fitzwater moved to confirm the appointments of Anastasia Pollotas, representing the Frederick County Sheriff's Office, Miles Ward representing the County Citizen Services Division, Larry Steinly, representing Frederick County Public Schools, Jose Luis Moreno representing Frederick Community College, Danielle Haskin, representing the Frederick County Health Department, Council Member Jessica Fitzwater; member of the County Council (ex officio, non-voting; no term assigned) to the Immigrant Affairs Commission to terms as presented by staff. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Installment Purchase Program - Request for Approval of Two Resolutions

Anne Bradley, Administrator, Land Preservation Program, Planning & Permitting Division and James Cumbie, Esquire, Venable LLP (County Bond Counsel) presented information to the Counsel on the Installment Purchase Program and Request for Approval of Two Resolutions.

Council Member Jessica Fitzwater moved Approval of Resolution to enter into an Installment Purchase Agreement and IPP easement on the property owned by David G. Crummitt. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Council Member Jessica Fitzwater moved Approval of Resolution to enter into an Installment Purchase Agreement and IPP easement on the property owned by Douglas

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Adams et al. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

First Reading Calendar

Proposed Bill – Amend and Update Chapter 1-22 Article I, Development Impact Fee Procedures and Requirements, and Article II, Public School Development Impact Fee, of the Frederick County Code

Council Member Jerry Donald, presented information to the Council on the Proposed Bill – Amend and Update Chapter 1-22 Article I, Development Impact Fee Procedures and Requirements, and Article II, Public School Development Impact Fee, of the Frederick County Code.

Third Reading Calendar

Bill 21-09 – Electric Vehicles

Council Member Kai Hagen moved to approve Bill 21-09 – Electric Vehicles as presented. Council Member Steve McKay seconded the motion.

Council Member Kai Hagen moved to approve Amendment 1 on Bill 21-09 – Electric Vehicles with changes to section D reflecting A person may only stop, stand, or park a plug-in vehicle in a plug-in vehicle parking space for the purpose of charging the plug-in vehicle. Council Member Steve McKay seconded the motion that passed 7-0.

AMENDMENT 1 on Bill No. 21-09

Introduced By:

Councilmember Kai Hagen (At-Large)

Introduction Date:

November 2, 2021

Adopted/Rejected/Withdrawn:

An ACT to: (1) define a plug-in vehicle, and parking space designated for a plug-in vehicle; (2) prohibit parking of a vehicle that is not a plug-in vehicle in a public parking space reserved for

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plug-in vehicles; and (3) generally amend the laws governing parking on County Roads in the County.

On Exhibit 1, Page 1, it is hereby amended as follows:

§ 1-15-31. PARKING SPACES DESIGNATED FOR A PLUG-IN VEHICLE.

(D) ~~[[A person may not stop, stand, or park a plug-in vehicle in a plug-in vehicle parking space if the vehicle is not connected to the charging equipment.]]~~

~~[[**(E)**]]~~ This section applies only to plug-in vehicle parking spaces on County roads or County owned property. A violation of this section shall be a Class C offense as defined in Section 1-1-9 of the Frederick County Code. Each day that a violation of this sections continues shall constitute a separate offense.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Council Member Kai Hagen moved to approve Amendment 2 on Bill 21-09 – Electric Vehicles. Council Member Steve McKay seconded the motion that passed 7-0.

AMENDMENT 2 on Bill No. 21-09

Introduced By:

Councilmember Kai Hagen (At-Large)

Introduction Date:

November 2, 2021

Adopted/Rejected/Withdrawn:

An ACT to: (1) define a plug-in vehicle, and parking space designated for a plug-in vehicle; (2) prohibit parking of a vehicle that is not a plug-in vehicle in a public parking space reserved for plug-in vehicles; and (3) generally amend the laws governing parking on County Roads in the County.

On Exhibit 1, Page 1, it is hereby amended as follows:

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§ 1-15-31. PARKING SPACES DESIGNATED FOR A PLUG-IN VEHICLE.

(A) Definitions. As used herein:

PLUG-IN VEHICLE. A vehicle that is:

- (1) made by a vehicle manufacturer for primary use on a public street, road, and highway;
- (2) [[has a rated unloaded gross vehicle weight of no more than 8,500 pounds]]
- (3) has a maximum speed capability of at least 55 miles per hour; and

[[4]]is propelled to a significant extent by an electric motor that draws electricity from a battery that;

- (a) For a 4-wheeled vehicle, has a capacity of at least 4 kilowatt-hours;
- (b) For a 2-wheeled vehicle or a 3-wheeled vehicle, has a capacity of at least 2.5 kilowatt-hours; and
- (c) Can be recharged from an external source of electricity.

Plug-in vehicle includes a vehicle that has been modified from the original manufacturer's specifications to be compliant with section (A).

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

The Council took a break from 6:02 p.m. to 7:00 p.m.

Public Hearing:

To Consider Bill No. 21-11 – Frederick County Real Property Tax Credit

Council Member Michael Blue on behalf of Administration presented information on Bill No. 21-11 – Frederick County Real Property Tax Credit.

Public Comment was heard from:

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- None

Public Comment was heard from:

- None

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 7:20 p.m.

M.C. Keegan-Ayer, President
County Council